

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

VALERIE ARROYO, DEREK OLIVARIA,
Plaintiffs-Appellants

v.

SOUTHWOOD REALTY COMPANY, in its official capacity, HERMAN RATCHFORD, JR., in his official and personal capacities, DAN W. RATCHFORD, in his official and personal capacities, TRIANGLE CLOISTER OF CONCORD, in its official capacity, dba Cloister of Concord, Inc., LUZ GORDON, in her official and personal capacities, JARED M. SCHMIDT, in his official and personal capacities, LOEBSACK & BROWNLEE, PLLC, in its official capacity, CHRISTOPHER M. VANN, in his official and personal capacities, VANN LAW FIRM, PA, in its personal and official capacities, COLLEEN P. BROOME, in her official and personal capacities, CABARRUS COUNTY DISTRICT COURT OF THE ADMINISTRATION, in its official and personal capacities, PATRICIA R. HOSKIN, in her official and personal capacities, ELIZABETH THOMAS, in her official and personal capacities, PATRICK A. JOHNSON, in his official and personal capacities, BROWNLEE, WHITLOW & PRAET, PLLC, in its official capacity, N.C. STATE BAR, in its official capacity, SHAWN MORRIS, in his personal and official capacities, CITY OF CONCORD, in its official capacity, CABARRUS COUNTY BOARD OF COMMISSIONER, in its official capacity, CITY

COUNCIL OF CONCORD BOARD, in its official capacity, N.C. INDUSTRIAL COMMISSION, in its official capacity, N.C. STATE ATTORNEY GENERAL OFFICE, in its official capacity, JOSH STEIN, in his official and personal capacities, DEPARTMENT OF JUSTICE, in its official capacity, CABARRUS COUNTY SUPERIOR COURT OF ADMINISTRATION, in its official capacity, CONCORD & KANNAPOLIS INDEPENDENT TRIBUNE, in its official capacity,
Defendants-Appellees

2021-2293

Appeal from the United States District Court for the Middle District of North Carolina in No. 1:21-cv-00219-CCE-JEP, Judge Catherine C. Eagles.

ON MOTION

Before LOURIE, PROST, and TARANTO, *Circuit Judges*.

PER CURIAM.

O R D E R

Appellants seek this court's review of a final judgment of the United States District Court for the Middle District of North Carolina dismissing their claims against private individuals and public entities for allegedly violating their rights during eviction proceedings. On November 3, 2021, this court directed the parties to address whether this appeal should be dismissed or, in the alternative, transferred to the United States Court of Appeals for the Fourth Circuit. Appellees have not responded. Appellants Valerie

Arroyo and Derek Olivaria respond and move for an “appeal conference,” ECF No. 16; they also move for leave to proceed *in forma pauperis* and seek initial hearing en banc.

This appeal is outside this court’s appellate jurisdiction. Our review of district court decisions is limited to cases on review from the United States Patent and Trademark Office, *see* 28 U.S.C. § 1295(a)(4)(C); civil actions arising under the patent laws, *see* § 1295(a)(1); and cases where the district court’s jurisdiction was based in part or in whole on the Little Tucker Act, 28 U.S.C. § 1346(a)(2), *see* § 1295(a)(2). This case does not fall within that limited subject matter. This court may transfer an appeal, pursuant to 28 U.S.C. § 1631, to the appropriate regional court of appeals that would have jurisdiction to decide the appeal. Here, that court would be the Fourth Circuit.

Accordingly,

IT IS ORDERED THAT:

(1) ECF No. 16 is denied.

(2) Pursuant to 28 U.S.C. § 1631, this appeal and all filings are transferred to the United States Court of Appeals for the Fourth Circuit.

FOR THE COURT

February 16, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court